

## **Listing of the Claims**

1. (Currently amended) An isolated nucleic acid that encodes ~~SEQ ID NO:4 or SEQ ID NO:6.~~
2. (Canceled)
3. (Original) The isolated nucleic acid of claim 1 comprising SEQ ID NO: 5.
4. (Currently amended) A transgenic monocot cell having a genome comprising a nucleic acid sequence that encodes a protein of ~~SEQ ID NO:4 or SEQ ID NO:6.~~
5. (Currently amended) A transgenic dicot cell having a genome comprising a nucleic acid sequence that encodes a protein of ~~SEQ ID NO:4 or SEQ ID NO:6.~~
6. (Currently amended) A transgenic plant with a genome comprising a nucleic acid nucleic acid sequence that encodes a protein of ~~SEQ ID NO:4 or SEQ ID NO:6..~~
7. (Original) A transgenic plant of claim 6 wherein the plant is rice.
8. (Original) A transgenic plant of claim 6 wherein the plant is maize.
9. (Original) A transgenic plant of claim 6 wherein the plant is tobacco.
10. (Original) A transgenic plant of claim 6 wherein the plant is cotton.
11. (Original) Seed of a transgenic plant of claim 6.
12. (Original) Progeny of seed of claim 11.

Claims 13-18 (Canceled).

Respectfully submitted,

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